

# EXHIBIT 2

**Matthew Kaplan**

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**From:** Matthew Kaplan [mkaplan@cdas.com]  
**Sent:** Wednesday, October 17, 2007 8:17 PM  
**To:** 'Mark Ingber'  
**Subject:** Lyons v. Magic Agency - Materials and Availability for Rule 26 conference  
**Attachments:** Magic Agency email and sting forms.pdf

**CONFIDENTIAL SETTLEMENT COMMUNICATION  
PRIVILEGED PURSUANT TO FRE 408**

Dear Mark:

Following on our prior discussion, attached is the e-mail between our investigator and your client and the sting forms.

In anticipation of the November 9, 2007 Initial Conference, please let me know of your availability over the next few days for a Rule 26 conference to discuss discovery issues.

Regards,  
Matt

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